



IFW
A
D.A.C.
B

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/017,534 Confirmation No.: 8068
Applicant : Isaac Ostrovsky
Filing Date : 10/18/2001
Title : DIFFRACTION GRATING BASED INTERFEROMETRIC SYSTEMS AND METHODS
Group Art Unit : 2877
Examiner : Patrick J. Connolly
Docket No. : 701470.19 (formerly 265/222)
Customer No. : 34313

Attention: Office of Petitions
Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

**CERTIFICATE OF MAILING
37 CFR §1.8**

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: August 30, 2004

Karen Johnson
Karen Johnson

DOCSOC1:154210.1

09/03/2004 WABDELRI 00000031 150665 10017534
01 FC:1453 1330.00 DA

Applicant : Isaac Ostrovsky
Appl. No. : 10/017,534
Examiner : Patrick J. Connolly
Docket No. : 701470.19 (formerly 265.222)

Charge Orrick's Deposit Account No. **15-0665** for all fees incurred.

1. Petition fee;
2. Reply and/or issue fee;
3. Terminal Disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity-fee \$ 1,330.00 (37 CFR 1.17(m)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of
Request for Continued Examination (RCE) and Amendment
(identify type of reply);

☐ has been filed previously on _____

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____

☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply or action from the due date for the required reply or action until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office

Applicant : Isaac Ostrovsky
Appl. No. : 10/017,534
Examiner : Patrick J. Connolly
Docket No. : 701470.19 (formerly 265.222)

may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).

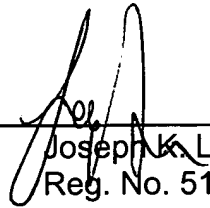
The Commissioner is authorized to charge any fee which may be required in connection with this Petition to Revive to Deposit Account No. **15-0665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: August 30, 2004

By: _____


Joseph K. Liu
Reg. No. 51,957

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710